

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>IN RE: TESTOSTERONE</b>	<b>:</b>	<b>Case No. 14 C 1748</b>
<b>REPLACEMENT THERAPY</b>	<b>:</b>	<b>MDL No. 2545</b>
<b>PRODUCTS LIABILITY LITIGATION</b>	<b>:</b>	
	<b>:</b>	<b>HON. MATTHEW F. KENNELLY</b>

**APPLICATION OF DIANNE M. NAST FOR APPOINTMENT  
TO THE PLAINTIFFS' LEADERSHIP GROUP**

Pursuant to Case Management Order No. 1, Dianne M. Nast respectfully applies for appointment to the Plaintiffs' leadership group, to serve in such capacity as the Court deems appropriate.

Ms. Nast, an active member of the bar for over three decades, has extensive experience in pharmaceutical litigation. She has a reputation for working cooperatively with co-counsel and facilitating resolution of disagreement. She is counsel of record in four cases in this MDL.

Ms. Nast has a national complex litigation practice, focusing on product liability, personal injury and antitrust matters. She is frequently asked to take major leadership roles in those cases.<sup>1</sup> For example, recently, Ms. Nast was appointed as Co-Lead Counsel in the *Zoloft Litigation*, MDL 2342 (E.D. Pa.), to the Plaintiffs' Executive Committee in the *Effexor Litigation*, MDL 2458 (E.D. Pa.) and to the Plaintiffs' Steering Committee in *Tylenol Litigation*, MDL 2436 (E.D. Pa.), to the Plaintiffs' Steering Committee in *Mirena IUD Litigation*, MDL 2434 (S.D.N.Y.), and to the Plaintiffs' Steering Committee in *Lipitor Litigation*, MDL 2502 (D. S.C.). Ms. Nast served on the Plaintiffs' Steering Committee in the *Avandia Litigation* as Federal-State Liaison and a member of the Policy Committee

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<sup>1</sup> Ms. Nast has been appointed as Lead and Co-Lead Counsel and served as a member of the Plaintiffs Executive Committee and Plaintiffs Steering Committee for decades in many cases throughout the United States. By way of additional example: *In re: Yaz, Yasmin, Ocella Prod. Liab. Litig.* (Phila. C.C.P. No. 1307) (Co-Lead/Liaison); *In re: National Football League Players' Concussion Injury Litig.* (E.D. Pa., MDL 2323) (PSC); *In re: Medtronic, Inc. Implantable Defibrillators Litig.* (D. Minn., MDL 1726) (PSC); *In re: Serzone Prod. Liab. Litig.* (S.D. W.V., MDL 1477) (PSC); *In re: Diet Drugs Prod. Liab. Litig.* (E.D. Pa., MDL 1203) (PSC and Sub-Class Counsel, Fee Committee); *In re: Pelvic Repair Systems Litigations* (S.D. W.V.), including *Ethicon, Inc.*, MDL 2327 (PSC), *Boston Scientific Corp.*, MDL 2326 (PSC) and *American Medical Systems, Inc.*, MDL 2325 (PSC); *In re: Actos (Pioglitazone)* (W.D. La., MDL 2299) (PSC); *In re: Light Cigarettes Marketing Litig.* (D. Me., MDL 2068) (PSC); *In re: Heparin Prod. Liab. Litig.* (N.D. Ohio, MDL 1953) (PEC); *Chocolate Antitrust Litig.*, (M.D. Pa., MDL 1935) (PEC); *In re: Medtronic, Inc. Sprint Fidelis Leads Litig.* (D. Minn., MDL 1905) (PSC, Fee Committee); *In re: Factor VIII or IX Concentrate Blood Products Litig.*, (N.D. Ill., MDL 986) (Co-Lead, Fee Committee); *In re: Effexor XR Antitrust Litig.* (D. N.J.) (Executive Committee); *In re: Wellbutin SR Direct Purchaser Antitrust Litig.* (E.D. Pa.) (Lead); *Paxil Antitrust Litig.* (E.D. Pa.) (Co-Lead); *In re: Nifedipine Antitrust Litig.* (D.D.C., MDL 1515) (Co-Lead); *Augmentin Antitrust Litig.* (E.D. Va.) (Lead); *Ovcon 35 Antitrust Litig.* (D.D.C.) (Executive Committee); *Castano Tobacco Addiction Litig.* (E.D. La.) (PSC).

and was appointed as Chair of the Fee Committee. MDL 1871 (E.D. Pa.). She served as Co-Lead Counsel in the *Darvocet, Darvon and Propoxyphene Litigation*, MDL 2226 (E.D. Ky.) and as Federal-State Liaison in the *Yasmin and Yaz (Drospirenone) Litigation*, MDL 2100 (S.D. Ill.).

She was appointed by then Chief Justice William H. Rehnquist to the Board of Directors of the Federal Judicial Center Foundation, where she served for ten years, five years as Chair. The late Judge Edward Becker, then Chief Judge of the Third Circuit, appointed Ms. Nast to serve as a member of the Third Circuit Task Force on Selection of Class Counsel. The Task Force issued a report, *Selection of Class Counsel*, 208 F.R.D. 340 (2002), cited over 100 times in court opinions. She was selected by The American Law Institute to serve on the ALI's Principles of the Law of Aggregate Litigation.

Ms. Nast chaired the Lawyers Advisory Committee for the United States Court of Appeals for the Third Circuit and served a three-year term on that Committee. She served for eight years on the Third Circuit's Committee on Revision of Judicial Conduct Rules of the Judicial Council and on the Judicial Conference Long Range Planning Committee.

She was appointed by the late Chief Judge Alfred L. Luongo to Chair the Eastern District of Pennsylvania's Lawyers Advisory Committee, and served for four years. She served for three years as President of The Historical Society for the Eastern District of Pennsylvania and as Editor of the Society's Annual Historical Calendar.

Ms. Nast is a member of the American Bar Association Litigation Section, where she served on the Task Force on State Justice Initiatives and on its Committee on Counsel Fees. She served on the Task Force on the Justice System and the Task Force on Strategic Planning. She co-chaired the Section's Committee on International Associations, and served a term on the Section's Council. She served as a Section Division Director, and co-chaired the Section's Antitrust Committee.

She served a term in the American Bar Association House of Delegates, and three terms in the Pennsylvania Bar Association House of Delegates. She was a member of the Pennsylvania Bar Association's Task Force on the Image of the Lawyer. Ms. Nast served as a member of the American

Arbitration Association Task Force on Alternate Dispute Resolution and Mass Torts. She also served as a member of the Board of Directors of the American Arbitration Association.

She served six years as a Director on the Board of the Public Defender's Office of Philadelphia. Ms. Nast was selected as one of a small group of Philadelphia attorneys to be appointed Judge Pro Tempore, serving as presiding Judge in major civil jury cases in the Court of Common Pleas.

Ms. Nast is a Fellow of the American Bar Foundation. She is a member of the American Law Institute, has served as a member of the Board of Directors of the Sedona Conference, a member of the American Antitrust Institute and the Public Justice Foundation. She currently serves on The Pennsylvania Disciplinary Hearing Committee.

Ms. Nast holds an AV Martindale-Hubbell rating, and has been selected to be listed in *The Best Lawyers in America*, included in each edition since 2003. The *National Law Journal* has selected Ms. Nast as one of the nation's top fifty women litigators. Ms. Nast was also selected by *Philadelphia Magazine* as one of Philadelphia's Best Complex Litigation Lawyers. She has been named as one of Pennsylvania's Top Fifty Women Lawyers. She appears in numerous *Who's Who* publications.

Ms. Nast is familiar with the issues in this case. She is committed to this litigation, works collegially with all of her colleagues and will commit the substantial personal time, energy and major financial resources to bring this important litigation to a proper conclusion. She will remain active in the litigation until every single case is concluded. Her history in other cases demonstrates that she remains in a case in which she is in a leadership position, until the case is concluded in all aspects, including helping other colleagues to wrap their cases up, if such help is requested.

Dated: July 3, 2014

/s/ Dianne M. Nast  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system as indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ Dianne M. Nast

Dianne M. Nast

Dated: July 3, 2014